

Saint Sepulchre's Manor (Dublin).

[AS AMENDED BY THE SELECT COMMITTEE.]

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Archbishop of Dublin to recover from his Successors any Charges he may have in respect to Palace or See House, &c.; 14.

Saving of Rights of Archbishop of Dublin; 15.



(Ireland.)

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

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Abolish the Jurisdiction of the Court of the Liberties and Manor of Saint Sepulchre in and near Dublin, and for the future Regulation of certain Markets of the said Manor.

[Note.—The Clauses marked A, and B, were added by the Select Committee.]

10 **W**HEREAS it would conduce to the better Administration of Preamble.
Justice if the Jurisdiction of the Court of and in the
Liberty and Manor of Saint Sepulchre in and near
Duhlin in Criminal and Civil Proceedings was abolished, and the
5 Most Reverend Richard Lord Archbishop of Duhlin, the Lord of the
said Liberty and Manor, and his several Officers, have freely con-
sented to such Abolition: Be it therefore enacted by the Queen's
most Excellent Majesty, by and with the Advice and Consent of
the Lords Spiritual and Temporal, and Commons, in this present
10 Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited for all Purposes as "The Minor Share Title Court of St. Sepulchre Abolition Act, 1856."

15 II. In the Construction and for the Purposes of this Act (if not
inconsistent with the Context or Subject Matter) the following Terms
shall have the respective Meanings herein-after assigned to them; that
[Bill 189.] A 2 is Interpretation of certain Terms in this Act

Interpreta-
tion of cer-
tain Terms
in this Act

is to say, "the Manor of Saint Sepulchre" or "the said Manor" shall mean the Liberty and Manor of Saint Sepulchre; "the Archbishop of Dublin" or "the said Archbishop" shall mean the Most Reverend Richard Lord Archbishop of Dublin and his Successors; "the Court" shall mean the Court of the said Liberties and Manor of Saint Sepulchre; "the Officers of the Manor of Saint Sepulchre" or "the said Officers" shall mean and include the Seneschal, Coroner, Marshals, Registrars, Portreeves, and Bailiffs of or belonging to the Archbishop of Dublin and to the Liberty and Manor of Saint Sepulchre, or any of them; and "Lord Lieutenant" shall include any other Chief Governor or Governors of Ireland.

Commencement of Act.

III. This Act shall commence and come into operation on the First Day of September One thousand eight hundred and fifty-six.

Jurisdiction of Court and Officers of the Manor of Saint Sepulchre in Judicial Proceedings, Civil or Criminal, to come, and the same to be exercised by the Courts and Officers of Her Majesty.

IV. Upon and after the Commencement of this Act, the Jurisdiction and Authority vested in the Court of the Liberties and Manor of Saint Sepulchre, and in the Seneschal or Judge and other Officers of the said Court, in relation to the Administration of Justice in Actions, Suits, or other Civil Judicial Proceedings, or in the Administration of Criminal Law, or the Execution of Judgments, Writs, and Processes therein or connected therewith, shall cease; and all such Jurisdiction or Authority within the Limits of the said Liberties and Manor shall be vested in and exercised by such of the Courts and Officers of Her Majesty respectively as such Jurisdiction or Authority would now by Law have belonged to in case the said Liberties and Manor Court had not been constituted or erected; and the several Towns, Places, and Districts within the said Liberties and Manor, and the Inhabitants and Residents therein, shall be subject to the Jurisdiction and Authority of the said Courts of Her Majesty respectively, in the same Manner as such Towns, Places, and Districts, and the Inhabitants and Residents therein, would now have been in case the said Liberties and Manor Court had not been constituted or erected.

Chairman of Kilmainsham, Assistant Barrister of the County of Dublin, Recorder of Dublin, and Assistant Barrister of Kildare or Wicklow may renew Decrees, &c. made by Seneschal

V. It shall be lawful for the Chairman of Kilmainsham, or Assistant Barrister of the County of Dublin, and the Recorder of Dublin, and the Assistant Barrister of the Counties of Kildare and Wicklow respectively, within the Limits of their respective Jurisdictions, to renew all Decrees and Dismisses made and pronounced by the said Court, or its Seneschal or Judge, before the Commencement of this Act, without regard to the Amount thereby decreed or adjudged to be paid; and every such renewed Decree or Dismiss shall be deemed a Decree or Dismiss of the said Chairman, Recorder, or Assistant Barrister, as the Case may be, and may be executed as such, notwithstanding that the Amount thereby decreed

to

to be paid shall exceed the Amount to which the Jurisdiction of such Chairman, Recorder, or Assistant Barrister shall be limited.

before Com-
mencement
of Act.

VI. Any Person who at the Commencement of this Act may be in the Custody of the Marshal of Saint Sepulchre, under or by virtue of any Jurisdiction or Authority hereby abolished, shall as soon as conveniently may be thereafter, without Writ of Habeas Corpus or other Writ for that Purpose, be removed by the said Marshal to the Common Gaol of the County in which he may have been arrested under the Writ or Warrant or other Process for his Arrest and Imprisonment, or if arrested or committed within the City of Dublin then to the Prison of the Four Courts Marshalsea, and shall be by such Marshal delivered into the Custody of the Gaoler or Keeper of such Common Gaol or Prison, together with the Decree, Writ, Warrant, or other Process by virtue of which such Person was arrested or imprisoned, and all other Decrees, Writs, Warrants, and other Processes lodged with such Marshal, by virtue of which such Person is or ought to be detained in Custody of such Marshal; and all Persons who may be in the lawful Custody of the said Marshal at the Commencement of this Act shall, until removed as aforesaid, and for and during the Time of such Removal, notwithstanding anything herein-before contained, be to all Intents and Purposes deemed to be in the proper legal Custody, unless and until they be respectively sooner discharged in due Course of Law; and all Persons so removed, after being delivered into the Custody of the Gaoler or Keeper of such Common Gaol or Prison, as the Case may be, shall be deemed to be in the legal Custody of the Sheriff and of such Gaoler or Keeper, in like Manner as if all such Writs, Processes, Decrees, or Warrants as aforesaid had been originally legally directed to and executed by such Sheriff or other Person as aforesaid.

Regulations
as to Persons
in Custody of
Marshal of
Saint Sepulchre at
Commencement
of Act.

VII. It shall be lawful for the said Lord Archbishop, with the Consent of the Lord Lieutenant, to make sale and absolutely dispose of, either altogether or in Parcels, the Court House and Marshalsea of Saint Sepulchre situate at Camden Row in the City of Dublin, with the Precincts and Appurtenances thereunto belonging, and to convey the same to the Purchaser or Purchasers thereof, and also to sell the Fixtures and Furniture thereof, together with the Standard Weights and Measures of the said Archbishop; and every Conveyance made by the said Archbishop, with the Consent of the Lord Lieutenant, and purporting to be executed in virtue of the Provisions of this Act, shall be effectual to pass whatever Estate shall purport to be thereby conveyed, discharged from all Claims of Right or Title or any Charge and Incumbrance whatsoever.

Power to
sell Court
House and
Marshalsea.

Application
of Proceeds
of Sale.
Compensa-
tion to
Officers.

VIII. It shall be lawful for the said Lord Archbishop, with the Consent of the Lord Lieutenant, out of the Proceeds of such Sales, to make such Compensation to the present Seneschal, Registrars, and Marshal of said Court as to the said Archbishop shall seem proper, having regard to the Tenure of Office and Length of Service of such 5 Officers; and if there shall remain any Surplus after Payment of the Costs and Expenses of such Sales and of such Compensations as aforesaid, the same may be applied by the said Archbishop in discharge of such other Expenses, Charges, and Claims (if any) as shall be incidental to and consequent on the passing of this Act and the 10 Abolition of the Jurisdiction and Transfer of Markets pursuant to this Act, as to the Archbishop of Dublin, with the Consent of the Lord Lieutenant, shall seem proper; and in the last place in part Liquidation of the Charge now existing on the said See, and repayable to the present Archbishop by his Successor, or in such other Manner for the 15 Benefit of the said See as the said Archbishop shall, with the Consent of the Lord Lieutenant, direct and appoint.

The Markets
of Saint Se-
pulchre
within the
Limits of the
Borough of
Dublin to
vest in the
Corporation.

IX. And whereas it is expedient that Provision be made for the future Regulation of the Markets of Saint Sepulchre usually held in Kevin Street within the Limits of the Borough of Dublin: Be it 20 therefore enacted, That from and after the Commencement of this Act, the said Markets shall vest in and belong to the Lord Mayor, Aldermen, and Burgesses of Dublin, and all Powers and Authorities theretofore exercised by any Weighmaster or other Person in respect of the said Markets shall cease and determine; and so much of an Act 25 of the Parliament of Ireland passed in the Twenty-seventh Year of the Reign of King George the Third, Chapter Forty-six, as relates to the Seneschal and Liberties and Market Juries of Saint Sepulchre shall be repealed.

CLARENCE A.
Manor, Ac.
lying within
the Muni-
cipal Bound-
aries to be
subject to
the Acts
relating to
the Improve-
ment of the
Borough of
Dublin.

X. All Acts now in force for the Regulation and Improvement of 30 the Borough of Dublin shall be construed, deemed, and taken to have full Force and Effect within such Portions of the said Liberties and Manor of Saint Sepulchre as lie within the Municipal Boundaries of the said Borough.

The Lord
Mayor of
Dublin to be
Clerk of the
Markets of
Saint Se-
pulchre.

XI. The Lord Mayor of the City of Dublin for the Time being 35 shall, from and after the Commencement of this Act, be Clerk of the Markets of Saint Sepulchre within the Limits of the Borough of Dublin, and shall have the future Appointment of the Deputy Clerk of the Markets therein; and the said Lord Mayor, Aldermen, and Burgesses of the said Borough shall and may respectively use 40 and exercise all such Powers and Authorities with respect to the said Markets, or the Improvement or Extension of the same, within the said

said Limits, as are vested in him or them with respect to the other Markets within the said Borough, or with respect to providing Markets therein, under the Provisions of "The Dublin Improvement Act, 1849."

- 5 XII. It shall not be lawful for the said Lord Mayor, Aldermen, and Burgesses to demand from any Person any Stallages, Rents, or Fees for the standing of any Beast or Animal, or any Cart of Hay or Straw, or any other marketable Commodity exposed for Sale in the said Markets of Saint Sepulchre within the said Limits, save for such
10 Stand, Stall, Shed, Pen, or other Convenience as they shall have erected therein; and the Stallages, Rents, or Fees to be demanded for the Use of any such Stall, Shed, Pen, or other Convenience so erected shall not exceed the several Stallages, Rents, and Fees authorized to be demanded by the said Lord Mayor, Aldermen, and Burgesses,
15 and specified in Schedule (D.) in "The Dublin Improvement Act, 1849."

The Corporation not to demand any Stallages, &c. in the Markets of Saint Sepulchre and they erect Stalls, &c. therein, such Stallages, &c. not to exceed those specified in Dublin Improvement Act, 1849.

- XIII. Nothing herein contained shall be construed to impose upon the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin, save with their Consent in Town Council assembled, any
20 Obligation to maintain any of the Markets, public Scales, Stalls, or Tenements heretofore belonging to or held by the Lord Archbishop of Dublin, or any Liability to pay any Rents, Salaries, Fees, Perquisites, Compensations, Pensions, or Sums of Money to any Person or Persons whomsoever heretofore having or claiming any Right, Title,
25 or Interest in connection with any Market Court or other Jurisdiction or Right heretofore vested in or belonging to the said Lord Archbishop of Dublin.

CLARENCE B. Corporation not obliged to maintain Market or to pay Rent, &c. in respect thereof.

- XIV. Nothing in this Act contained shall prejudice or affect the Right of Richard now Lord Archbishop of Dublin, or his Executors
30 or Administrators, to recover from his Successors in the said See of Dublin any Charge which he or they may have against such Successor for or in respect of the Palace or See House, and the said Court House and Premises of Saint Sepulchre, or the said Markets within the Borough of Dublin, or other Improvements in the said See.

Archbishop of Dublin to recover from his Successors any Charges he may have in respect to Palace or See House, &c.

- 35 XV. Nothing herein contained shall be deemed or taken to prejudice or affect the Royalties, or the Manorial or other Rights, Privileges, and Jurisdictions and Franchises of the said Archbishop of Dublin and Bishop of Glendelagh, and his Successors, or his or their respective Officers, in or throughout the Estates and Manors and
40 Liberties of the said See, and over the Tenants and Sub-Tenants thereof, or the Right or Power to enforce the same, save as hereinbefore otherwise respectively provided and declared.

Saving of Rights of Archbishop of Dublin as to the Royalties and Estates, &c. in the See.

Saint Sepulchre's Manor
(Dublin).

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B I I I,

[as AMENDED BY THE SELECT COMMITTEE]

To abolish the Jurisdiction of the Court
of the Liberties and Manor of Saint
Sepulchre in and near Dublin, and
for the future Regulation of certain
Markets of the said Manor.

(Prepared and brought in by
Mr. Harrison and Mr. Attorney General for
Ireland.)

Ordered, by the House of Commons, to be Printed,
30 June 1856.

[BELL 1861.]

Under 1 oz.